

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE WACHOVIA PREFERRED SECURITIES
AND BOND/NOTES LITIGATION

Master File No. 09-CV-6351 (RJS)

ECF FILED

ORAL ARGUMENT REQUESTED

**KPMG LLP'S MOTION TO DISMISS
THE AMENDED CONSOLIDATED CLASS ACTION COMPLAINT**

For the reasons explained in the accompanying memorandum of law, KPMG LLP moves to dismiss the Amended Consolidated Class Action Complaint with prejudice, and for an order granting such other and further relief as the Court shall deem just and proper.

KPMG requests oral argument in this matter.

Respectfully submitted,

KPMG LLP

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